

**United States District Court**  
**EASTERN DISTRICT OF TEXAS**  
**SHERMAN DIVISION**

SCOTT HENGEMUHLE AND TY,  
PROPERTIES, LLC,

Plaintiffs,

v.

ACCEPTANCE INDEMNITY INSURANC  
COMPANY,

Defendant.

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Civil Action No. 4:17-cv-409  
(Judge Mazzant/Judge Johnson)

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On November 21, 2017, the report of the Magistrate Judge (Dkt. #15) was entered containing proposed findings of fact and recommendations that this case should be dismissed in its entirety with prejudice pursuant to Plaintiffs Scott Hengemuhle and Ty Properties, LLC's and Defendant Acceptance Indemnity Insurance Company's Stipulation of Dismissal with Prejudice (Dkt. #14).

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

Accordingly, it is hereby **ORDERED, ADJUDGED AND DECREED** that this entire action, and all of the claims asserted therein, be **DISMISSED WITH PREJUDICE**. Each party shall bear its own costs.

All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

**IT IS SO ORDERED.**

**SIGNED this 11th day of December, 2017.**

  
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AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE